

Testimony of Kay Norris

DIRECT EXAMINATION

2

3 BY MS. SHERRI WALLACE:

4 Q. Ms. Norris, are you sick?

5 A. I am very sick. I have got strep
6 throat.

7 Q. I'm sorry you have to be down here. I

8 will try to be as brief as possible. How old are you?

9 A. I'm 31.

10 Q. Are you married?

11 A. I am.

12 Q. And, do you have any children?

13 A. I have three boys.

14 Q. Where do you work?

15 A. Now, I work at Glamour Shots.

16 Q. Tell us what Glamour Shots is.

17 A. It's you go in there and get fixed up

18 and they take your picture.

19 Q. Kind of get dressed up like a

20 Hollywood movie star or something and they take your

21 picture?

22 A. Yes, exactly, very glamorous.

23 Q. Before that, did you work at the

24 American Pawn Shop there in Garland?

25 A. Yes, ma'am, I did.

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1 Q. How long did you work at that pawn
2 shop?

3 A. I'll say altogether, about three and a
4 half years.

5 Q. Okay. About when did you leave your
6 employment there?

7 A. December of '95.

8 Q. Did you work right until -- before
9 Christmas?

10 A. Yes, ma'am.

11 Q. Okay. In your three and a half years

12 at the pawn shop, did you have an occasion to get to know

13 Darin and Darlie Routier?

14 A. Yes, ma'am, I did.

15 Q. All right. About how often would they
16 come in?

17 A. At least once a week, maybe more.

18 Q. How many times in the three and a half

19 years that you worked there did you see Darin and Darlie?

20 A. I can't tell you how many, at least

21 over 50.

22 Q. Okay. Do you see Darlie Routier in
23 the courtroom now?

24 A. Yes, she is right there.

25 Q. Would you point her out and describe
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1 what she is wearing.

2 A. She is over there. She has got a red
3 and white dress on.

4 Q. Is she writing on her pad right now?

5 A. Yes, yes, ma'am.

6

7 MS. SHERRI WALLACE: Let the record
8 reflect that the witness has identified the defendant.

9 THE COURT: Yes, ma'am.

10

11 BY MS. SHERRI WALLACE:

12 Q. When she would come in, who would she
13 be with?

14 A. Darin most of the time. I have never
15 seen her come in by herself.

16 Q. Okay. Did she ever come in with her
17 children?

18 A. I seen her children once.

19 Q. Okay. When her and her husband came
20 into the shop, what were they looking for?

21 A. Jewelry.

22 Q. What area of the pawn shop did you
23 work in?

24 A. I worked in jewelry.

25 Q. Were they customers of yours?
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1 A. Yes, ma'am.

2 Q. When the defendant would come into the
3 shop how would she appear? How would she be dressed?

4 What did she look like?

5 A. Can I be blunt?

6 Q. Sure.

7 A. She was very tacky dressed. She never
8 wore undergarments, no bra, everything was showing
9 usually. She always wore a big T-shirt. I have seen her
10 a couple times in sweats, most of the time in shorts.

11 But the way she was dressed, she always wore -- she
12 always had all of her jewelry on, her hair was never
13 fixed, she never had any makeup on. I have never seen
14 her clean up.

15 Q. Have you ever seen her look like that?

16 A. No.

17 Q. Did you have the opportunity to wait

18 on the defendant quite frequently?

19 A. Oh, yes, ma'am.

20 Q. Have you worked in retail your whole

21 life?

22 A. Yes, ma'am.

23 Q. How did the defendant treat you?

24 A. Very rude.

25 Q. Well, what do you mean?

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1 A. Well, she would ask to see a specific

2 piece of jewelry, and I would go to hand it to her and

3 she would grab it from your hand.

4 And she just -- she would look at her

5 jewelry, and she was just like, she was just so rude and

6 she would just like throw it back at you. She was never,

7 you know, passionate with you, or however you say it.

8 She was just very rude.

9 Q. Was this just one or two times, Ms.

10 Norris?

11 A. No, ma'am, every time she came in. In

12 fact, she had like a nickname. When she came in because

13 there were two other people that worked --

14

15 MR. RICHARD C. MOSTY: I'll object to

16 speculation and hearsay.

17 THE COURT: Well, if she knows what

18 her nickname was in the establishment.

19 MR. RICHARD C. MOSTY: That would be

20 hearsay and speculation in a place where Mrs. Routier is

21 not present. How can that be cross examined?

22 THE COURT: Thank you very much.

23 Overruled. Answer the question, if you know.

24

25 BY MS. SHERRI WALLACE:

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1 Q. Let me just ask you this, Ms. Norris:

2 When the defendant and her husband would come in, would

3 you all -- would you want to wait on her?

4 A. Oh, yes, ma'am. We all wanted to wait

5 on her.

6 Q. Why is that?

7 A. Because she always bought something.

8 I got commission off her, I didn't have anything against

9 her. I made money off that woman.
10 Q. How often would she buy stuff?
11 A. Almost every time she came in.
12 Q. What sort of things did Mrs. Routier
13 like to look at?
14 A. All of the big stuff. She knew what
15 she wanted. She was very smart in what she wanted. She
16 never looked at anything small.
17 Q. Did she pay for it?
18 A. No, Darin did.
19 Q. Okay. Did Darin ever say, "No, you
20 can't have that"?
21 A. Oh, yes, ma'am.
22 Q. All right. What would happen then?
23 A. She would get very, very verbal with
24 him, cussing him, saying she wanted it now. He would
25 say, "Let's talk about it." And she would say, "No, I
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1 want it now."
2 Q. And then what would happen?
3 A. Oh, she usually got what she wanted.
4 Q. In 1994 you said you saw her boys with
5 her one time; is that right?
6 A. Yes, ma'am.
7 Q. Was she also with her husband at that
8 point?
9 A. Yes, ma'am.
10 Q. Did you know the boys?
11 A. No, ma'am.
12 Q. Okay. When they came in, what
13 happened?
14 A. She was looking at jewelry with Darin
15 and the kids -- we had some exercise equipment that we
16 always had out and every one of the kids that came in
17 there always played on it. Well, they were being loud.
18 And she had told Darin a couple times
19 to go get them, you know, Darin -- and she was like
20 yelling at them, cussing at them across the pawn shop. I
21 guess -- I have people that have got on to their kids,
22 but not yelling at their kids like the way she did.
23 Q. Okay. Tell the jury exactly what she
24 said to her children in your presence.
25 A. Word for word?
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1 Q. Word for word.
2 A. The first time she told them to get

3 their asses over there. And they did not come, and then
4 she told them to get the fuck over there.

5 Q. And, do you know how old these
6 children were?

7 A. No, ma'am, I don't. I just knew that
8 they were smaller. I mean, you know, when you are
9 working and there's people, I see children in there all
10 the time. I looked over to see, you know, the kids when
11 she was talking to them, but as far as looking at them
12 and paying attention, I did not.

13 Q. Okay.

14

15 MS. SHERRI WALLACE: I have no further
16 questions. Pass the witness.

17 THE COURT: Mr. Mosty.

18

19 CROSS EXAMINATION

20

21 BY MR. RICHARD MOSTY:

22 Q. What did you tell me your first name
23 was?

24 A. Kay.

25 Q. Kay. Let's first describe this pawn
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1 shop. What's the name of the place?

2 A. American Pawn.

3 Q. What all have they got there?

4 A. You name it, they had everything.

5 Q. It's a huge store, isn't it?

6 A. It sure was.

7 Q. It's got boats?

8 A. Sometimes.

9 Q. It's like a department store of
10 second-hand stuff?

11 A. Exactly.

12 Q. How many people work there?

13 A. Oh, a bunch. On one shift, I mean,
14 there was like 14 or 15 people there.

15 Q. I mean, is there a sporting goods
16 section?

17 A. Yes, there sure is.

18 Q. Okay. Is there a gun section?

19 A. There sure is.

20 Q. Is there a clothing section?

21 A. Well, coats.

22 Q. Some clothing?

23 A. Exactly.

24 Q. But all sorts of sporting goods? Golf

25 clubs?
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1 A. Yes.
2 Q. Archery?
3 A. Um-hum. (Witness nodding head
4 affirmatively.)
5 Q. What else? Furniture?
6 A. Sometimes.
7 Q. And there is a jewelry department?
8 A. A big jewelry department.
9 Q. This is a big store, isn't it?
10 A. Yeah.
11 Q. Can you describe in square feet how
12 big it is?
13 A. No, sir, I can't.
14 Q. What was your job there?
15 A. I worked in jewelry.
16 Q. Okay. What else -- you said that you
17 had been in retail all of your life?
18 A. I sure have.
19 Q. What other jobs have you had?
20 A. I worked in cosmetics for
21 Bloomingdales and J.C. Penney's.
22 Q. Okay. What else? What other kind of
23 work have you done?
24 A. That's it.
25 Q. That's it, just Bloomingdales?
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1 A. I have worked at Zales, mostly jewelry
2 and mostly cosmetics.
3 Q. Ever hold any other part time jobs?
4 A. Part time?
5 Q. Yeah.
6 A. No.
7 Q. Just to make extra money?
8 A. No.
9 Q. Do any extra things?
10 A. No.
11 Q. Okay. Now, how was it that -- did
12 somebody come talk to you about testifying what you knew
13 about Darlie Routier?
14 A. They found me, yeah.
15 Q. Who was that?
16 A. Lieutenant Grant.
17 Q. Lieutenant Grant?
18 A. Yes.

19 Q. When was that?
20 A. Probably about a week or two
21 afterward, after what happened.
22 Q. Within a week?
23 A. It was something like that. I really
24 I can't recall exactly.
25 Q. Did you write out a statement?
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1 A. No.
2 Q. Never did?
3 A. No.
4 Q. Who did you talk to, Grant?
5 A. I talked to Grant and I talked to
6 Bosillo.
7 Q. When did you talk to him?
8 A. Sir, I really can't -- I don't recall
9 exactly the dates.
10 Q. How many times?
11 A. Once.
12 Q. And, how did they find you?
13 A. I have no idea.
14 Q. Somebody just showed up at the -- at
15 your work?
16 A. Yes, sir.
17 Q. And said what? Tell me everything you
18 know bad about Darlie Routier?
19 A. No, sir. They just asked me could I
20 please go and talk to some people. They asked me, did I
21 know her, and I said, yes, just through work. I didn't
22 know her personally.
23 Q. Okay. And, you say that you had
24 waited on her a number of times?
25 A. Yes, sir.
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1 Q. And that when she saw jewelry, she
2 would grab it out of your hand?
3 A. Yes.
4 Q. Every time?
5 A. Every time.
6 Q. And every time she was in there, she
7 would throw it back at you?
8 A. Yes, sir.
9 Q. Every time?
10 A. Every time.
11 Q. From how far? How wide is the
12 counter, and where did she throw it at you?

13 A. Well, the counter was like about this
14 big and we had to reach in to get her jewelry and I would
15 hand it to her and she would grab it.
16 Q. She would grab it out of your hand?
17 A. Yes.
18 Q. Then she would throw it back at you?
19 A. No, she wouldn't throw it at me. She
20 wouldn't even touch us.
21 Q. Well, you said throw.
22 A. No, I didn't say throw. I said she
23 threw it on the counter.
24 Q. Oh, you did not say she would throw it
25 back at you?
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1 A. Well, to me that's the way you throw
2 something is throw it on the counter. She would not hand
3 it back like every other customer that I had waited on.
4 Q. If you said throw it back at you, that
5 is a mistake?
6 A. Well --
7 Q. Is it?
8 A. No, I don't think so.
9 Q. She didn't throw it back at you?
10 A. Yes, she did.
11 Q. She did throw it back at you?
12 A. Yes.
13 Q. But it landed on the counter?
14 A. She threw it on the counter. She was
15 very rude in the way she handed it back.
16 Q. Okay.
17
18 THE COURT: It's been thrown on the
19 counter. I think that has been established. Let's go on
20 to the next question.
21 MR. RICHARD C. MOSTY: Well, your
22 Honor, I think I need to -- whatever latitude I need to
23 do to develop this.
24 THE COURT: Well, you do.
25
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1 BY MR. RICHARD C. MOSTY:
2 Q. That happened every time that you
3 waited on her?
4 A. Every time.
5 Q. 50 times?
6 A. Yes.

7 Q. But nonetheless, you wanted to wait on
8 her?
9 A. I made money off of her.
10 Q. And matter of fact, you would go to --
11 I mean when you saw her coming, would you go to make
12 sure --
13 A. Well, actually --
14 Q. -- that you waited on her?
15 A. Well, if we didn't, we would usually
16 half the sale because everybody wanted to wait on her.
17 We had certain customers that came in that we wanted to
18 wait on.
19 Q. And, did you describe her as being
20 tackily dressed?
21 A. Very.
22 Q. Very tacky?
23 A. Yes.
24 Q. I guess that is in your opinion?
25 A. Everyone's opinion that worked there.
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1 Q. Does everyone who work there dress
2 like you do?
3 A. No, the way she was dressed, everyone
4 talked about the way she was dressed.
5 Q. Now, let's talk about this: Who is
6 Dan at the shop?
7 A. He was our boss.
8 Q. He was your boss?
9 A. Yes.
10 Q. Did Mrs. Routier ever deal with him?
11 A. On the money part, yes. We showed the
12 jewelry and then we always conversed with him on how much
13 she was going to pay or how much they went down on the
14 price or whatever.
15 Q. Now, then you said that there was an
16 incident -- the only time you saw the boys in there, you
17 said there was an incident where there was some cussing?
18 A. Yes, sir.
19 Q. Now, describe for me -- what was it --
20 Darin was there?
21 A. Yes, sir.
22 Q. And Darlie was there?
23 A. Yes.
24 Q. And the boys were playing on
25 something?
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1 A. We had some, like, workout equipment
2 that we always had laying to the right side of our
3 counter.

4 Q. How far away?

5 A. Well, like our counter was huge there.

6 Q. Well, like from this far?

7 A. That's about right.

8 Q. Farther?

9 A. No.

10 Q. Okay. So Mrs. Routier was this far,

11 as far as I am from you from the boys?

12 A. Right.

13 Q. Where is Mr. Routier?

14 A. Beside her.

15 Q. Standing right there beside you?

16 A. Um-hum. (Witness nodding head

17 affirmatively.)

18 Q. And, what is between all this?

19 A. Jewelry. It all went around, it was

20 huge.

21 Q. Big counter?

22 A. Yes.

23 Q. Other customers were there?

24 A. Oh, yes.

25 Q. Lots?

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1 A. Oh, yeah.

2 Q. Other sales people there?

3 A. Yes.

4 Q. How many?

5 A. In our department or --

6 Q. No, at this incident, at the time of

7 this incident?

8 A. Well, I'm just saying in my department

9 or all over the store?

10 Q. No, I'm saying at the time of this

11 incident, between where the people were?

12 A. Probably between us, probably just

13 one.

14 Q. Okay. One salesperson?

15 A. Right.

16 Q. How many other in the immediate area?

17 A. Well, at the pawn counter there was

18 usually seven or eight people up there.

19 Q. Being sales people mainly?

20 A. Um-hum. (Witness nodding head

21 affirmatively.)

22

23 THE COURT: Ma'am, if you could please
24 say yes or no. Ms. Halsey has to take this down.
25 THE WITNESS: Okay. Sorry.
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1
2 BY MR. RICHARD C. MOSTY:
3 Q. Okay. And it's your statement that
4 she said these curse words all this distance across that
5 store?
6 A. Yes, sir.
7 Q. And there were seven or eight of your
8 people there?
9 A. Yes, sir.
10 Q. And some customers as well?
11 A. Yes, sir.
12 Q. What did Darin say?
13 A. Nothing.
14 Q. He said nothing. Did Darin just go
15 on, keep looking at jewelry?
16 A. Yeah. Yes, sir. I'm sorry.
17 Q. And didn't pay any attention?
18 A. No.
19 Q. And then Darin didn't go over and get
20 the boys?
21 A. No.
22 Q. So the boys just kept sitting over
23 there doing whatever they were doing?
24 A. Yes.
25 Q. And the Routiers just kept shopping
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1 for jewelry?
2 A. Yes, sir.
3
4 MR. RICHARD C. MOSTY: That's all I
5 have got.
6 MS. SHERRI WALLACE: Thank you.
7 Nothing further. May this witness be excused?
8 THE COURT: All right. Ma'am, you may
9 step down. I must warn you, you must remain outside the
10 courtroom when you are not testifying. Don't talk to
11 anybody who is testifying. Don't compare it.
12 You may talk to the attorneys for
13 either side. If someone tries to talk to you about your
14 testimony, tell the attorney for the side who called you.
15 Your next witness.
16 THE WITNESS: Thank you.